



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,392	Henry J Smith	51328-00001 US

INTERNATIONAL APPLICATION NO.
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PCT/US04/31202

I.A. FILING DATE	PRIORITY DATE
09/22/2004	09/23/2003

45200  
 PRESTON GATES & ELLIS LLP  
 1900 MAIN STREET, SUITE 600  
 IRVINE, CA 92614-7319

CONFIRMATION NO. 2271

371 FORMALITIES LETTER



\*OC000000018381090\*

Date Mailed: 03/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/09/2005
- Copy of the International Search Report filed on 06/09/2005
- Copy of IPE Report filed on 06/09/2005
- Preliminary Amendments filed on 06/09/2005
- Information Disclosure Statements filed on 11/07/2005
- Oath or Declaration filed on 06/09/2005
- Small Entity Statement filed on 06/09/2005
- U.S. Basic National Fees filed on 06/09/2005
- Priority Documents filed on 06/09/2005
- Power of Attorney filed on 06/09/2005
- Specification filed on 06/09/2005
- Claims filed on 06/09/2005
- Abstracts filed on 06/09/2005
- Drawings filed on 06/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

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**PART 1 - ATTORNEY/APPLICANT COPY**

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